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GOVERNMENT OF GOA

Department of Panchayati Raj &
Community Development

Directorate of Panchayats

Notification

38/DP/TP/ELN/2015

- Read: (1) Notification No. 1/DP/DR-EP/96 dated 1st November, 1996, published in the Official Gazette (Extraordinary), Series I No. 32, dated 7-11-1996;
- (2) Notification No. 38/DP/TP/ELN/1999 dated 29th October, 1999, published in the Official Gazette (Extraordinary), Series I No. 31, dated 30-10-1999;
- (3) Notification No. 38/DP/TP/ELN/1999 dated 8th November, 1999, published in the Official Gazette (Extraordinary), Series I No. 32, dated 8-11-1999;
- (4) Notification No. 38/DP/TP/ELN/1999 dated 11th January, 2000, published in the Official Gazette (Extraordinary), Series I No. 42, dated 14-1-2000;
- (5) Notification No. 38/DP/TP/ELN/2000 dated 31st January, 2000, published in the Official Gazette (Extraordinary No. 2), Series I No. 44 dated 1-2-2000.

Whereas, the draft rules, namely, the Goa Panchayat and Zilla Panchayat (Election Procedure) (Fifth Amendment) Rules, 2015 which the Government of Goa proposed to make in exercise of powers conferred by section 15 and sub-section (2) of section 125 read with sub-section (1) of section 240 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994) (hereinafter referred to as the "said Act") were pre-published as required by sub-section (1) of section 240 of the said Act, vide Notification No. 38/DP/TP/ELN/2015 dated 03-02-2015 of the Department of Panchayati Raj and Community Development in the Official Gazette (Extraordinary No. 2), Series I No. 44, dated 03-02-2015 (hereinafter referred to as the "said Notification") inviting objections and suggestions from all persons likely to be affected thereby within ten days from the date of publication of the said Notification in the Official Gazette;

And whereas, the said Official Gazette was made available to the public on 03-02-2015;

And whereas, objections and suggestions received from the public on the said draft Rules have been considered by the Government.

Now, therefore, in exercise of the powers conferred by section 15 and sub-section (2) of section 125 read with sub-section (1) of section 240 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), the Government of Goa

hereby makes the following rules so as to further amend the Goa Panchayat and Zilla Panchayat (Election Procedure) Rules, 1996, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa Panchayat and Zilla Panchayat (Election Procedure) (Fifth Amendment) Rules, 2015.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Amendment of rule 12.*— In rule 12 of the Goa Panchayat and Zilla Panchayat (Election Procedure) Rules, 1996, (hereinafter referred to as the “principal Rules”), for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) On the date appointed for the nomination of candidates and during the hours appointed by the Commissioner under rule 10 in this behalf, each candidate shall make an application in writing in Form as prescribed under the Representation of the People Act, 1951, (Central Act 43 of 1951) signed by the candidate and present either in person or through a seconder authorized in writing in this behalf by such candidate to the Returning Officer signifying his willingness to serve as a member of the Panchayat or Zilla Panchayat, as the case may be.”.

3. *Amendment of rule 20.*— In the principal Rules, in rule 20, in sub-rule (1),—

(i) after the expression “the Returning Officer shall assign to each” and before the

word “candidate”, the word “independent” shall be inserted;

(ii) after sub-rule (2), the following sub-rule shall be inserted, namely:—

“(3) Candidates sponsored by a political party shall be allotted a symbol reserved for such political party by the Election Commission of India.”.

4. *Amendment of rule 21.*— In the principal Rules, in rule 21, for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) Immediately after the expiry of the time fixed under sub-rule (1) of rule 18, the Returning Officer shall for each Panchayat or Constituency and also for each ward cause to be prepared, a list of contesting candidates in Form No. 5 arranging the names in the alphabetical order in Roman and Devnagri script as appearing in Form No. 4 alongwith the symbols as allotted under the Representation of the People Act, 1951 (Central Act 43 of 1951) and in the manner specified under rule 20 and display the list on the notice board in the Office of the Panchayat, Office of Chief Executive Officer and in the Office of Returning Officer.”.

By order and in the name of the Governor of Goa.

Gurudas P. Pilarnekar, Director & ex officio Joint Secretary (Panchayats).

Panaji, 18th February, 2015.

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